

**IDAHO BOARD OF ACUPUNCTURE**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 4/28/2017**

**BOARD MEMBERS PRESENT:** Charles W Raymond - Chair  
Marlene F Strong  
Sara C Rodgers  
Naomi L Jankowitz-Brownson

**BOARD MEMBERS ABSENT:** Ethan S Fisher

**BUREAU STAFF:** Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel  
Dicsie Gullick, Management Assistant

**OTHERS PRESENT:** Helen Merrill, Doctor of Chiropractic

The meeting was called to order at 1:03 PM MDT by Charles W Raymond.

**APPROVAL OF MINUTES**

Ms Brownson made a motion to approve the minutes of 01/27/2017. It was seconded by Ms. Strong. Motion carried.

**LEGISLATIVE REPORT**

Mr. Toryanski gave the legislative report. He said that the rule the Board proposed passed the House Health & Welfare committee on January 16, 2017 and passed the Senate Health & Welfare committee on January 19, 2017. It is now in effect.

The deadline to submit proposed law changes to the Governor's Office is July 14th and the deadline to submit proposed rule changes to the Governor's Office is the third week in August for the 2018 Legislative Session.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$105,696.88 as of 03/31/2017.

**INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Ms. Brownson made a motion to approve the Bureau's recommendation and authorize closure with a warning letter in case ACU-2017-2. It was seconded by Ms. Strong. Motion carried.

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list and asked the Bureau to gather more information on conferences for the Federation of Associations of Regulatory Boards (FARB) and the Council of Licensure, Enforcement and Regulation (CLEAR) to present at the next meeting.

## **NEW BUSINESS**

**NEXT MEETING** was scheduled for July 7, 2017 at 1:00 PM MDT.

## **DISCUSSION REGARDING EDUCATION STANDARDS**

Dr. Merrill addressed the Board regarding education standards and the possibility of the Board changing the requirement regarding didactic hours in the certification program to allow for online courses. After discussion, Ms. Rogers made a motion to have the Bureau reply to Dr. Merrill directing her to the Council of Colleges for accredited online courses and remind her that the Board is bound by statute. It was seconded by Ms. Brownson. Motion carried.

## **NOTIFICATION OF LICENSEES**

The Board discussed the rule change that passed the Legislature and whether to send postcards to licensees. No action was taken.

## **CHANGES TO APPLICATION FORMS**

The Board reviewed drafts of the application forms. After discussion Ms. Rogers made a motion to accept the draft of the License and Certification application with the highlighted sections removed and the addition of a requirement for endorsement applicants to send a list of licensure requirements from the state of previous licensure. It was seconded by Ms. Strong. Motion carried.

Ms. Rogers made a motion to further amend the application to mirror the language of the statute at the second bullet point. It was seconded by Ms. Strong. Motion carried.

Ms. Rogers made a motion to accept the draft of the Trainee permit application with the reference to the National Association for Detoxification Acupuncture removed. It was seconded by Ms. Brownson. Motion carried.

## **CHANGES TO RENEWAL FORMS**

The Board reviewed drafts of the renewal application forms. After discussion Ms. Rogers made a motion to accept the drafts as written. It was seconded by Ms. Brownson. Motion carried.

## **DISCUSSION REGARDING TRAINEES AND SUPERVISION**

The Board discussed a question the Bureau received by phone regarding trainees and supervision. After discussion, Ms. Rogers made a motion to have the Bureau respond stating the actual treatment must be supervised in person. It was seconded by Ms. Brownson. Motion carried.

Ms. Brownson made a motion to add a training plan to the application, to be developed with the help of the Board Chair. It was seconded by Ms. Rogers. Motion carried.

Ms. Rogers moved to have a trainee plan that includes who the supervisor will be and the supervisor's training. It was seconded by Ms. Brownson. Motion carried.

## **CORRESPONDENCE**

The Board reviewed correspondence from Dr. Zigler regarding continuing education classes. Ms. Rogers made a motion to respond to Dr. Zigler telling him that the courses listed were not pre-approved by the Board, but after review the Board approved the courses. She further moved to have the Bureau write to Dr. Amaro stating that the courses on his website are not listed on the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) site and are therefore, not preapproved by the state of Idaho. It was seconded by Ms. Strong. Motion carried.

The Board reviewed correspondence from Ms. Wong regarding whether laser acupuncture and ultrasound digital imaging is within the scope of practice for acupuncturists. Ms. Rogers made a motion to refer Ms. Wong to statute 54-4702 for the definition of acupuncture. It was seconded by Ms. Brownson. Motion carried.

The Board reviewed correspondence from Mr. Edvalson regarding CPR classes being accepted as continuing education courses. Ms. Rogers moved to not count CPR classes as continuing education courses based on precedent and because all medical practitioners should take the course. It was seconded by Ms. Brownson. Motion carried. Ms. Strong voted nay.

The Board reviewed correspondence from the NCCAOM regarding academic credential validation. No action was taken.

## **EXECUTIVE SESSION**

Ms. Brownson made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Rogers. The vote was: Ms. Brownson, aye; Ms. Rogers, aye; Ms. Strong, aye; and Mr. Raymond, aye. Motion carried.

Ms. Brownson made a motion to come out of executive session. It was seconded by Ms. Strong. The vote was: Ms. Brownson, aye; Ms. Rogers, aye; Ms. Strong, aye; and Mr. Raymond, aye. Motion carried.

## **APPLICATIONS**

Ms. Brownson made a motion to approve the following for licensure:

ACU-336 Lise Takashina  
ACU-338 Jason P.J. Jensen  
ACU-337 Gabrielle Lynn Anderson

It was seconded by Ms. Strong. Motion carried.

## **CE COURSES**

Ms. Rogers made a motion to request all materials submitted for NCCAOM certification be sent to the Board for further consideration of the application of Dr. Hicks.

## **ADJOURNMENT**

Ms. Rogers made a motion to adjourn the meeting at 4:51 PM MDT. It was seconded by Ms. Strong. Motion carried.

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Charles W Raymond, Chair

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Marlene F Strong

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Sara C Rodgers

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Naomi L Jankowitz-Brownson

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Ethan S Fisher

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Tana Cory, Bureau Chief